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Security Council

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General Assembly
Seventieth session
Agenda item 85
The rule of law at the national and international levels

Security Council
Seventy-first year

Letter dated 8 July 2016 from the representatives of China and the Russian Federation to the United Nations addressed to the Secretary-General

We have the honour to transmit herewith the text of the Declaration of the Russian Federation and the People's Republic of China on the Promotion of International Law (see annex), signed in Beijing on 25 June 2016 by the Minister of Foreign Affairs of the Russian Federation, Sergey Lavrov, and the Minister of Foreign Affairs of the People's Republic of China, Wang Yi.

We should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 85, and of the Security Council.

(*Signed*) Vitaly **Churkin**
Permanent Representative
of the Russian Federation

(*Signed*) **Wu Haitao**
Chargé d'affaires a.i.
Deputy Permanent Representative
of the People's Republic of China

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Annex to the letter dated 8 July 2016 from the representatives of China and the Russian Federation to the United Nations addressed to the Secretary-General

Original: Chinese, English and Russian

The Declaration of the Russian Federation and the People's Republic of China on the Promotion of International Law

1. The Russian Federation and the People's Republic of China reiterate their full commitment to the principles of international law as they are reflected in the Charter of the United Nations, the 1970 Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. They are also guided by the principles enshrined in the Five Principles of Peaceful Coexistence. The principles of international law are the cornerstone for just and equitable international relations featuring win-win cooperation, creating a community of shared future for mankind, and establishing common space of equal and indivisible security and economic cooperation.

2. The Russian Federation and the People's Republic of China share the view that the principle of sovereign equality is crucial for the stability of international relations. States enjoy their rights on the basis of independence and on an equal footing, and assume their obligations and responsibilities on the basis of mutual respect. States have the right to participate in the making, interpreting and applying of international law on an equal footing, and have the obligation to comply with international law in good faith and in a coherent and consistent manner.

3. The Russian Federation and the People's Republic of China reaffirm the principle that States shall refrain from the threat or use of force in violation of the Charter of the United Nations and therefore condemn unilateral military interventions.

4. The Russian Federation and the People's Republic of China fully support the principle of non-intervention in the internal or external affairs of States, and condemn as a violation of this principle any interference by States in the internal affairs of other States with the aim of forging change of legitimate governments. The Russian Federation and the People's Republic of China condemn extraterritorial application of national law by States not in conformity with international law as another example of violation of the principle of non-intervention in the internal affairs of States.

5. The Russian Federation and the People's Republic of China reaffirm the principle of peaceful settlement of disputes and express their firm conviction that States shall resolve their disputes through dispute settlement means and mechanisms that they have agreed upon, and all means of settlement of disputes should serve the goal of resolving disputes in a peaceful manner in accordance with applicable international law, thus leading to de-escalation of tensions and promotion of peaceful cooperation among disputing parties. This applies equally to all types and stages of dispute settlement, including political and diplomatic means when they serve a pre-requisite to the use of other mechanisms of dispute settlement. It is crucial for the maintenance of international legal order that all dispute settlement means and mechanisms are based on consent and used in good faith and in the spirit of cooperation, and their purposes shall not be undermined by abusive practices.

6. The Russian Federation and the People's Republic of China share the view that good faith implementation of generally recognized principles and rules of international law excludes the practice of double standards or imposition by some States of their will on other States, and consider that imposition of unilateral coercive measures not based on international law, also known as "unilateral sanctions", is an example of such practice. The adoption of unilateral coercive measures by States in addition to measures adopted by the United Nations Security Council can defeat the objects and purposes of measures imposed by the Security Council, and undermine their integrity and effectiveness.

7. The Russian Federation and the People's Republic of China condemn terrorism in all its forms and manifestations as a global threat that undermines the international order based on international law. To counter this threat requires collective action in full accordance with international law, including the Charter of the United Nations.

8. The Russian Federation and the People's Republic of China assert that international obligations regarding immunity of States, their property and officials must be honoured by States at all times. Violations of these obligations are not in conformity with the principle of sovereign equality of States and may contribute to the escalation of tensions.

9. The Russian Federation and the People's Republic of China emphasize the important role of the 1982 United Nations Convention on the Law of the Sea in maintaining the rule of law relating to activities in the Oceans. It is of utmost importance that the provisions of this universal treaty are applied consistently, in such a manner that does not impair rights and legitimate interests of States Parties and does not compromise the integrity of the legal regime established by the Convention.

10. In line with their relationship of strategic partnership, the Russian Federation and the People's Republic of China are resolved to further enhance their cooperation in upholding and promoting international law and in establishing a just and equitable international order based on international law.

Done at Beijing, on 25th of June, 2016.

On behalf of
the Ministry of Foreign Affairs
of the Russian Federation

S.V. Lavrov

On behalf of
the Ministry of Foreign Affairs
of the People's Republic of China

Wang Yi

United Nations A/70/983

General Assembly

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Seventieth session
Agenda item 12
Sport for development and peace: building a peaceful and better world through sport and the Olympic ideal

Solemn appeal made by the President of the General Assembly on 25 July 2016 in connection with the observance of the Olympic Truce

The President of the General Assembly has the honour to make the following solemn appeal in connection with the observance of the Olympic Truce:

"The ancient Greek tradition of the *ekecheira*, or 'Olympic Truce', born in the eighth century B.C., serves as a hallowed principle of the Olympic Games. In 1992, the International Olympic Committee renewed this tradition by calling upon all nations to observe the Truce.

"Through its resolution 48/11 of 25 October 1993, the General Assembly urged Member States to observe the Olympic Truce from the seventh day before the opening to the seventh day following the closing of each Olympic Games. This appeal was renewed in the Millennium Declaration.

"In the 2005 World Summit Outcome, our leaders emphasized that 'sport can foster peace and development' and encouraged the General Assembly to foster a dialogue and agreed proposals for a plan of action on sport and development.

"On 3 November 2005, the General Assembly held a plenary debate on the agenda item entitled 'Sport for peace and development' and also adopted, with universal support, resolution 60/8, entitled 'Building a peaceful and better world through sport and the Olympic ideal', deciding to consider this item every two years in advance of each Summer and Winter Olympic Games.

"The 2030 Agenda for Sustainable Development acknowledges sport as an important enabler of sustainable development, recognizing the growing contribution of sport to the realization of development and peace in its promotion of tolerance and respect and the contributions that it makes to the Sustainable Development Goals, including the empowerment of women and of young people, individuals and communities, as well as to health, education and social inclusion objectives.

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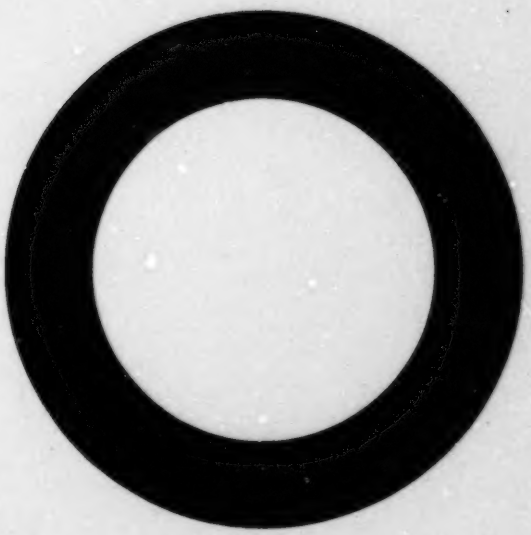
"To this end, on 26 October 2015, the General Assembly adopted resolution 70/4. In that resolution, the Assembly urged Member States to observe the Olympic Truce individually and collectively, within the framework of the Charter of the United Nations, throughout the period from the seventh day before the start of the XXXI Olympic Summer Games until the seventh day following the end of the XV Paralympic Summer Games, to be held in Rio de Janeiro, Brazil.

"The Olympic movement aspires to contribute to a peaceful future for all humankind through the educational value of sport, in particular youth. The Games will bring together athletes from all parts of the world in the greatest of international sports events as a means to promote peace, mutual understanding and goodwill among nations and peoples — goals that are also part of the founding values of the United Nations. For the first time ever, a team of refugees will participate under the Olympic flag in the Olympic Games in Rio de Janeiro, acting as a powerful symbol of inclusion and our shared humanity.

"As an expression of these common objectives, the International Olympic Committee has decided to fly the United Nations flag at Olympic Park. The United Nations system and the International Olympic Committee have strengthened their mutual cooperation and support through joint endeavours in such fields as human development, poverty alleviation, humanitarian assistance, health promotion, HIV and AIDS prevention, child and youth education, gender equality, peacebuilding and sustainable development.

"I welcome the leadership of Olympic and Paralympic athletes in promoting peace and human understanding through sport and the Olympic ideal, and the commitment made by various States Members of the United Nations to developing national and international programmes that promote peace and conflict resolution and the Olympic and Paralympic values through sport and through culture, education and sustainable development.

"As President of the General Assembly at its seventieth session, I solemnly appeal to all Member States to demonstrate their commitment to the Olympic Truce for the 2016 Rio Olympic and Paralympic Games and to undertake concrete actions at the local, national, regional and world levels to promote and strengthen a culture of peace and harmony based on the spirit of the Truce. Referring to the original tradition of the Olympic Truce practised in ancient times, as described in resolution 70/4, I also call upon all warring parties of current armed conflicts around the world to boldly agree to true mutual ceasefires for the duration of the Olympic Truce, thus providing an opportunity to settle disputes peacefully."



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General Assembly

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12 July 2016
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Seventieth session
Item 72 (a)
Promotion and protection of human rights: Implementation of human rights instruments

Letter dated 30 June 2016 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the statement delivered by the representative of the Russian Federation during the sixteenth meeting of States parties to the Convention on the Rights of the Child under the agenda item on other matters (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the seventieth session of the General Assembly under agenda item 72 (a).

(*Signed*) P. **Ilichev**
Chargé d'affaires ad interim

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Annex to the letter dated 30 June 2016 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General

Statement delivered by the representative of the Russian Federation on 30 June 2016 during the sixteenth meeting of States parties to the Convention on the Rights of the Child under the agenda item on other matters

Under this agenda item, I would like to comment briefly on certain aspects of the work of the Committee on the Rights of the Child. As at meetings of States parties under other international human rights treaties held earlier this month, our comments are based on our own experience of interaction with the Committee.

The Russian Federation attaches great importance to the effective functioning of the human rights treaty body system. We believe that this is contingent upon the scrupulous observance by the treaty committees of their mandate, and also upon their willingness and ability to develop a constructive and mutually respectful dialogue with States parties.

Regrettably, we are forced to conclude that the Committee on the Rights of the Child, like other treaty bodies, is remiss in that it all too often departs from its core mission to assist States in meeting their obligations under the Convention on the Rights of the Child. Some of the recommendations made by the experts following the consideration in January 2014 of the combined fourth and fifth periodic reports of the Russian Federation on implementation of the Convention (such as the suggestions that the law on the financing of non-governmental organizations should be repealed; that the responsibility of the business sector should be strengthened; and that the interests of sexual minorities should be protected), and also of its initial report under the Optional Protocol to the Convention, relating to the involvement of children in armed conflict, in particular, the recommendation that the policy on the arms trade should be reviewed, clearly exceed the authority of the Committee.

An explanation is needed for the practice of working in two chambers, which remains in force to this day, even though it was introduced as a temporary measure to clear the backlog of periodic reports awaiting consideration by the Committee. Concern is caused not so much by the lack of even a semblance of geographical balance, but by the impossibility of achieving an equitable distribution of the expertise of the members of the Committee.

It is our belief that the practice of closed meetings between the Committee on the Rights of the Child and civil society institutions during the pre-session preparations is inconsistent with the principles of openness and impartiality of the work of the treaty bodies. We urge the Committee to follow, in particular, the experience of the Committee on the Elimination of Racial Discrimination or the Committee on the Elimination of Discrimination against Women and to make such meetings open to all.

Serious concerns are raised by so-called working methods for the participation of children in the reporting process of the Committee on the Rights of the Child, adopted by the Committee in 2014 (CRC/C/66/2).

We would like to express our appreciation to the Committee for its attention to General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system. In that connection, we welcome the Committee's decision No. 11 of 19 September 2014, in follow-up to the resolution, to reduce the word length of concluding observations by 20 per cent. We urge the Committee to continue its work in this area, with a view to bringing its activities into line with the provisions of resolution 68/268.

At the same time, we would like to request more information on the decision reproduced in the same document to appoint a member of the Committee as rapporteur on reprisals. How, we wonder, does this initiative tally with the guidelines against intimidation and reprisals against those cooperating with United Nations entities — the so-called San Jose Guidelines? We appear here to be faced with an overly bureaucratic approach and the failure by the Committee to perform its core duties — to monitor the implementation of the Convention on the Rights of the Child by its States parties.

In conclusion, we call upon the Committee to take a more responsible approach to the issue of aligning itself with the joint statements of the various special procedures of the Human Rights Council and the treaty bodies. For example, we take a dim view of the Committee associating itself with a statement of 13 May 2015 on ending discrimination against lesbian, gay, bisexual, transsexual and intersex young people and children. We take the position that the legal framework furnished by the Convention and its optional protocols should constitute the principal criterion for the Committee's participation in such initiatives.

For our part, we remain ready to continue our dialogue with the Committee and other States parties to the Convention on the full range of issues relating to the effective implementation of this international instrument, including improvement of the working methods of the Committee.